

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5223

IN THE MATTER OF:

Served November 4, 1997

Investigation of Unauthorized)
Operations of SAFE RIDE SERVICES,)
INC.)

Case No. MP-97-83

The application of Safe Ride Services, Inc., was conditionally granted in Order No. 5059, served April 21, 1997, in Case No. AP-97-03. Approval was conditioned on Safe Ride filing certain documents on or before May 21, 1997. An extension of the filing deadline to June 20, 1997, was granted on June 4, 1997, in Order No. 5094. Safe Ride filed a request for an additional 30 days on June 20. No further extension was requested, and Safe Ride has yet to file the necessary documents.

Order No. 5059 provides that the grant of authority therein shall be void and the application shall stand denied upon applicant's failure to timely satisfy the conditions of issuance prescribed therein. Commission Regulation No. 66 provides that "[t]he time for compliance with the requirements for a conditional grant of authority will not be extended beyond a maximum of 180 days from the date the conditional grant of authority is issued. Such conditional grant of authority shall be considered void effective on the 181st day." The 181st day in Safe Ride's case fell on October 18, 1997. Safe Ride's application, therefore, now stands denied, and the conditional grant of authority in Order No. 5059 is now void.

On September 24, 1997, an article concerning Safe Ride appeared in the "Community Business" section of the Gazette newspaper, distributed in Montgomery County, Maryland. According to the article, Safe Ride has begun performing a contract with "Kaiser Permanente" that requires Safe Ride to transport Kaiser's members. Presumably, this is a reference to the Kaiser contract supporting Safe Ride's application for a certificate of authority. The article states that Safe Ride is holding itself out for hire to the general public, as well.

Although the Commission does not decide on the truth or accuracy of the newspaper article, it constitutes reason to investigate whether Safe Ride is in fact holding itself out for hire to the general public and performing contract transportation requiring a certificate of authority.

The Commission may investigate a carrier to determine whether that carrier has violated the Compact.¹ The Commission may require the production of books, papers, correspondence, memoranda, contracts, agreements, or other records or evidence which the Commission

¹ Compact, tit. II, art. XIII, § 1(c).

considers relevant to the inquiry.² A carrier that knowingly and willfully violates a provision of the Compact shall be subject to a civil forfeiture of not more than \$1,000 for the first violation and not more than \$5,000 for any subsequent violation and that each day of the violation constitutes a separate violation.³

The Commission will initiate an investigation to determine whether Safe Ride has violated the Compact.

THEREFORE, IT IS ORDERED:

1. That an investigation of Safe Ride's operations in the Washington Metropolitan Area Transit District is hereby initiated under Article XIII, Section 1, of the Compact.

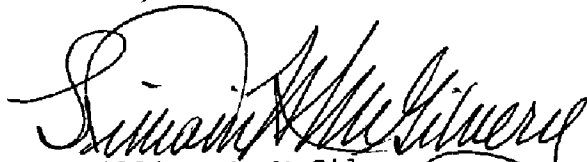
2. That Safe Ride shall have thirty days from the date of this order to produce any and all records in its possession, custody or control relating to its operations in the Metropolitan District.

3. That Safe Ride shall have thirty days from the date of this order to show cause why it should not be ordered to cease and desist operations in the Metropolitan District.

4. That Safe Ride shall have thirty days from the date of this order to show cause why a civil forfeiture should not be assessed with respect to its operations in the Metropolitan District.

5. That Safe Ride may file within 15 days from the date of this order a request for oral hearing, specifying the grounds for the request, describing the evidence to be adduced and explaining why such evidence cannot be adduced without an oral hearing.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS ALEXANDER, LIGON, AND MILLER:


William H. McGilver
Executive Director

² Compact, tit. II, art. XIII, § 1(e).

³ Compact, tit. II, art. XIII, § 6(f).